

TOWN OF LOOMIS

ADMINISTRATIVE POLICIES AND PROCEDURES

BUSINESS USE OF PUBLIC RIGHT-OF-WAY WITHIN THE DOWNTOWN CORE (DC) **ZONING DISTRICT POLICY**

Effective Date: 9/14/1999

Resolution 99-41

Display of merchandise, newsracks and sidewalk dining and seating are permitted on any Town of Loomis public right-of-way within the DC zone subject to compliance with the following criteria in addition to those criteria applicable in Section 17.02(f). (Outdoor Eating Areas, of the Town Zoning Ordinance):

1. Display of merchandise, newsracks and sidewalk dining shall not obstruct sidewalk pedestrian traffic; accessibility to vehicles parked adjacent to the curb, or create health or safety hazards.
2. Sidewalk Clear Zone Requirement: A four-foot (48") minimum, paved pedestrian walkway shall be maintained between property line and edge of curb, free and clear of any obstructions.
3. The applicant shall obtain a revocable encroachment permit. Encroachment permits will not be approved for portable or other signs within the Public right-of-way with the exception of banners advertising Town wide functions such as the Eggplant Festival.
4. Sidewalk cafes shall be used only as seating areas. Storage, kitchen, any permanent facilities or restroom uses are not allowed. Tables and/or chairs must be movable unless otherwise approved by the Planning Director upon concurrence with other Town departments. Storage of tables and chairs during non-business hours within the right-of-way is not allowed. No outdoor speakers or amplified music is allowed.
5. Placement of merchandise, newsracks or tables and/or chairs shall be limited to the sidewalk area frontage adjacent to the use. Service of alcoholic beverages is not allowed.
6. Outdoor sidewalk dining or seating may be open; partially covered or enclosed by means of awnings, canopies or similar protective structure.
 - a) Roof material covering an outdoor café may be temporary, fixed, or retractable and can extend into the public right-of-way from the face of the building a distance up to the minimum six foot clear zone dimension, or a maximum distance of 10' from face of building, whichever is less. Width and height of awnings and canopies shall meet U.B.C. requirements. Awnings, canopies, or similar protective shelter must be fire-treated or non-flammable.
7. All merchandise, newsrack, and/or outdoor dining and seating areas must be level with sidewalk, and handicap accessible.
8. Decorative/accent lighting may be incorporated into the outdoor café awning, canopy, etc. and must meet all Town code requirements.
9. Upon approval of the encroachment permit the applicant shall obtain all required building/electrical permits.